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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/693,170	10/23/2003	Keith Pearson	2648P	2625
29141	7590	03/10/2005	EXAMINER	
SAWYER LAW GROUP LLP P O BOX 51418 PALO ALTO, CA 94303			HARRIS, ANTON B	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 03/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/693,170

Applicant(s)

PEARSON, KEITH

Examiner

Anton B. Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonora et al. (6,135,698) in view of Slocum et al. (5,733,024) and Bonora et al. (6,138,721).

Regarding claim 1, Bonora et al. (6,135,698) (col. 6, lines 14-67) discloses a module comprising:

an enclosure 100, and a frame 108 coupled to the enclosure 100, the frame 108 including an interface to the process tool (col. 6 line 33), but lacks a kinematic interface to the enclosure to facilitate, repeatable and high accuracy docking of the enclosure and a box open-loaded tool standard (BOLTS) interface.

Slocum et al. (abstract) teaches a kinematic interface 16 to the enclosure 12 to facilitate, repeatable and high accuracy docking of the enclosure 12.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Bonora et al. (6,135,698) by providing a kinematic interface to the enclosure to facilitate, repeatable and high accuracy docking of the enclosure in order to precisely locate a module relative to the base frame in view of the teachings of Slocum et al.

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Bonora et al. (6,138,721) teaches a box open-loaded tool standard (BOLTS) interface 12.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Bonora et al. (6,135,698) by providing a box open-loaded tool standard (BOLTS) interface in order to provide an adjustable interface in view of the teachings of Bonora et al. (6,138,721).

Furthermore, the limitation of “for housing a device to be tested” in claim 1 has been considered, but does not result in a structural difference. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Regarding claim 3, Bonora et al. (6,135,698) discloses that the process tool comprises an equipment front end module (EFEM) (col. 6, line 33).

Regarding claim 4, the teachings of Slocum et al further include that the kinematic interface 16 comprises a plurality of spherical shaped objects (col. 1, lines 41-42) on the frame 12 which engage a plurality of machined features on the enclosure 12.

Regarding claim 5, the teachings of Slocum et al further include that the machined features 30 comprises a cone, groove or flat machined features. See abstract of Slocum et al.

Regarding claim 6, Bonora et al. (col. 6, lines 44-50) discloses an internal air path to keep a substrate (col. 6 line 45) located therein substantially clean.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bonora et al. (6,135,698) modified as taught by Slocum et al. and Bonora et al. (6,138,721) as applied to claim 6 above, and further in view of Behl et al. (6,193,339 B1).

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Regarding claim 7, Bonora et al. (6,135,698) modified by Slocum et al. and Bonora et al. (6,138,721) discloses the invention substantially as claimed, but lacks a second internal air path to cool electronics via the use of fans to draw heat air from the electronics out of the enclosure via ducts.

Behl et al. (col. 3, lines 30-35) teaches a second internal air path to cool electronics via the use of fans 22 to draw heat air from the electronics out of the enclosure 10 via ducts (figure 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Bonora et al. (6,135,698) by providing a second internal air path to cool electronics via the use of fans to draw heat air from the electronics out of the enclosure via ducts in order to dissipate heat and facilitate air flow in view of the teachings of Behl et al.

4. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bonora et al. (6,135,698) modified as taught by Slocum et al. and Bonora et al. (6,138,721) as applied to claim 1 above, and further in view of Behl et al. (6,193,339 B1).

Regarding claim 8, Bonora et al. (6,135,698) modified by Slocum et al. and Bonora et al. (6,138,721) discloses the invention substantially as claimed, but lacks that the enclosure includes fan modules.

Behl et al. (col. 3, lines 30-35) teaches that the enclosure 10 includes fan modules 22.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the modified device of Bonora et al. (6,135,698) by providing that

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the enclosure includes fan modules in order to dissipate heat and facilitate air flow in view of the teachings of Behl et al.

Furthermore, the limitation of “for removing hot air from the module” in claim 8 has been considered, but does not result in a structural difference. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Regarding claim 9, the teachings of Behl et al. further include that the enclosure 10 includes an exhaust vent (figure 2).

Response to Arguments

5. Applicant's arguments filed 13 December 2004 have been fully considered but they are not persuasive.

Regarding Applicant's arguments that the combination of the prior art discloses the claimed limitations but without being used in the same manner, Examiner agrees. However, this does not result in a structural difference. It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitations. *Ex parte Masham*, 2 USPQ2d 1647 (1987).

Conclusion

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6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anton B Harris whose telephone number is (571) 272-1976. The examiner can normally be reached on weekdays from 8:30am to 5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Dean Reichard, can be reached on (571) 272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

abh

3/7/05

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